

FORM PTO-1390

U.S. Department of Commerce Patent and Trademark Office

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney's Docket No.

2577-124A

U.S. Application No. (if known, see 37 CFR 1.5)

10/009, 590

INTERNATIONAL APPLICATION NO. PCT/SG99/00058	INTERNATIONAL FILING DATE June 11, 1999	PRIORITY DATE CLAIMED --
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**TITLE OF INVENTION HIGH-EFICIENCY AGROBACTERIUM-MEDIATED TRANSFORMATION OF COTTON
USING PETIOLE EXPLANTS**

APPLICANT(S) FOR DO/EO/US Zhi Xian CHEN and Lian Hui ZHANG

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [] This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. [X] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. [] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. [X] The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. [] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. [] is attached hereto (required only if not communicated by the International Bureau).
 - b. [] has been communicated by the International Bureau.
 - c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)
6. [] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. [] is attached hereto.
 - b. [] has been previously submitted under 35 U.S.C. 154(d)(4).
7. [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. [] are attached hereto (required only if not communicated by the International Bureau).
 - b. [] have been communicated by the International Bureau.
 - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
 - d. [X] have not been made and will not be made.
8. [] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. [X] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. [] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. [] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [X] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. [] A **FIRST** preliminary amendment.
14. [] A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. [] A substitute specification.
16. [] A change of power of attorney and/or address letter.
17. [] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. [] A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. [] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. [X] Other items or information: Copy of Notification of Missing Requirements

U.S. APPLICATION NO. (If known, see 37 CFR)	INTERNATIONAL APPLICATION NO. PCT/SG99/00058	ATTORNEY DOCKET NO. 2577-124	
17. [] The following fees are submitted: Basic National Fee (37 CFR 1.492)(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report Not Prepared by EPO or JPO. \$ 1,040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report has been prepared by the EPO or JPO \$ 890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00		<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00	
Claims	Number Filed	Number Extra	Rate
Total Claims	18 -20 =		X \$18.00
Independent Claims	1 - 3 =		X \$84.00
Multiple dependent claim(s) (if applicable)	NONE		+ \$280.00
TOTAL OF ABOVE CALCULATIONS =		\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$	
SUBTOTAL =		\$ 130.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE =		\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$ 40.00	
TOTAL FEES ENCLOSED =		\$ 170.00	
04/08/2002 MNGUYEN 00000147 10009590 01 FC:154 130.00 OP		Amount to be refunded	\$
		charged	\$
a. <input checked="" type="checkbox"/> Two checks in the amount of <u>\$ 130.00 & \$40.00</u> to cover the above fees are enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.			
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Customer No. 6449			
Mark I. Bowditch Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W., Suite 800 Washington, D.C. 20005 Phone: 202/783-6040		Signature	<u>Mark I. Bowditch</u>
		Name	<u>Mark I. Bowditch</u>
		Registration Number	<u>40,315</u>

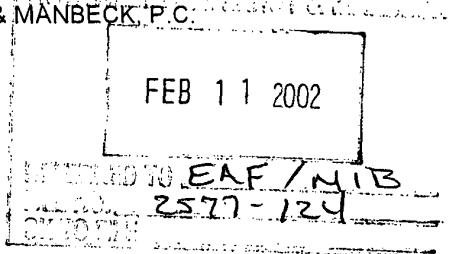


UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 90, I
United States Patent and Trademark Office
Washington, D.C. 20591-0001
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/009,590	Zhi Xian Chen	2577-124A
		INTERNATIONAL APPLICATION NO
		PCT/SG99/00058
6449 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 555 13TH STREET, N.W. SUITE 701, EAST TOWER WASHINGTON, DC 20004	I.A. FILING DATE	PRIORITY DATE
	FEB 11 2002	06/11/1999
CONFIRMATION NO. 1775 371 FORMALITIES LETTER		
OC000000007402482		

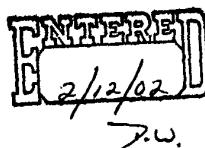
Date Mailed: 02/04/2002



NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/009,590	PCT/SG99/00058	2577-124A

FORM PCT/DO/EO/905 (371 Formalities Notice)